

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	}	<b>ORDER OF SUMMARY SUSPENSION</b>
or Suspension of the Educator	}	
Certificate of Ebenezer Jally	}	
	}	
Certificate 231130	}	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on March 12, 2008. In accordance with S.C. Code Ann. § 1-23-370(c)(2005) the South Carolina Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Ebenezer Jally, certificate 231130, as a result of his arrest on January 17, 2008, in Bennettsville South Carolina. Mr. Jally was charged with one count of Criminal Domestic Violence and one count of Kidnapping as a result of allegations that he was abusing his wife and restraining her from leaving her home. The Bennettsville Police Department investigated the incident in Bennettsville, South Carolina.

The Department has reason to believe that, due to the serious nature of the allegations of misconduct against him, Mr. Jally poses a threat to the public health, safety, or welfare of students. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Jally's educator certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Jally of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

**FINDINGS OF FACT**

Mr. Jally holds a professional educator certificate and has two years of teaching experience. Mr. Jally was employed by the Marlboro County School District as a science teacher at Marlboro County High School in Bennettsville, South Carolina.

On January 17, 2008, Mr. Jally was charged with one count of Criminal Domestic Violence and one count of Kidnapping as a result of allegations. According to the investigation, it is alleged that her husband had beat her on several occasions, slapped her in the face, pulled her hair and dragged her to the floor. It is further alleged that Mr. Jally restrained his wife and would not allow her to leave the apartment. When Mr. Jally was interviewed at the Bennettsville Police Department, it is alleged he admitted to slapping his wife, and on another occasion, holding her down on the bed with his elbow pressed into her chest. It is further alleged that Mr. Jally admitted that he knew he was hurting his wife, but indicated he was mad at the time.

On January 17, 2008, Mr. Jally was arrested and transported to the Marlboro Detention Center. As a result of his arrest, the District placed Mr. Jally on leave with pay, however, Mr. Jally currently has resumed his teaching duties as of February 02, 2008. These allegations are based upon an investigation conducted by the Bennettsville Police Department. As a result of these allegations and subsequent arrest, the State Board finds Mr. Jally poses a threat to the public health, safety and welfare of students and that emergency action is required.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States, any conduct involving moral turpitude and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 13-58 (Supp. 2006). In accordance with S.C. Code Ann. § 1-23-370(c) (2005), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that emergency action is required as there is reason to believe that Mr. Jally poses a threat to the public health, safety and welfare of students. Accordingly, the State Board summarily suspends

Jally, Ebenezer  
March 12, 2008  
Page 3

Mr. Jally's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education  
By:   
Al Simpson, Chair

Columbia, South Carolina  
March 12, 2008